

**SECTION X. LOCAL TAXES AND LEVIES**

*[as amended by Federal Law No. 382-FZ of 29.11.2014]*

*[inserted by Federal Law No. 141-FZ of 29.11.2004]*

**CHAPTER 31. LAND TAX**

**Article 387. General Provisions**

1. Land tax (hereafter in this Chapter referred to as “tax”) shall be established by this Code and regulatory legal acts of representative bodies of municipalities, shall be implemented and cease to have effect in accordance with this Code and regulatory legal acts of representative bodies of municipalities and shall be compulsorily payable in the territories of those municipalities.

In the cities of federal significance Moscow, Saint Petersburg and Sevastopol, tax shall be established by this Code and laws of those constituent entities of the Russian Federation, shall be implemented and cease to have effect in accordance with this Code and laws of those constituent entities of the Russian Federation and shall be compulsorily payable in the territories of those constituent entities of the Russian Federation. *[as amended by Federal Law No. 379-FZ of 29.11.2014]*

2. When establishing the tax, representative bodies of municipalities (legislative (representative) state bodies of the cities of federal significance Moscow, Saint Petersburg and Sevastopol) shall set the tax rates within the limits established by this Chapter. In relation to taxable organizations, representative bodies of municipalities (legislative (representative) state bodies of the cities of federal significance Moscow, Saint Petersburg and Sevastopol) shall, when establishing the tax, also lay down the procedure for the payment of the tax. *[as amended by Federal Laws No. 284-FZ of 04.10.2014, No. 325-FZ of 29.09.2019]*

When establishing the tax, regulatory legal acts of representative bodies of municipalities (laws of the cities of federal significance Moscow, Saint Petersburg and Sevastopol) may also establish tax reliefs and the grounds and procedure for the application thereof, including the establishment of the amount of the tax deduction for certain categories of taxpayers. *[as amended by Federal Laws No. 379-FZ of 29.11.2014, No. 436-FZ of 28.12.2017]*

**Article 388. Taxpayers**

1. The taxpayers of the tax (hereafter in this Chapter referred to as “taxpayers”) shall be organizations and physical persons which possess land parcels such as are deemed to be a taxable object in accordance with Article 389 of this Code on the basis of ownership, on the basis of permanent (indefinite) use or on the basis of lifetime inheritable possession, except as otherwise established by this clause. *[as amended by Federal Laws No. 283-FZ of 28.11.2009, No. 308-FZ of 27.11.2010]*

In the case of land parcels which are part of property comprising a mutual investment fund, the taxpayers shall be the management companies. In this respect, tax shall be paid from property comprising that mutual investment fund. *[paragraph inserted by Federal Law No. 308-FZ of 27.11.2010]*

2. Organizations and physical persons shall not be deemed to be taxpayers in relation to land parcels which are possessed by them on the basis of use without consideration, including fixed-

term use without consideration, or have been transferred to them under a lease agreement. *[as amended by Federal Law No. 369-FZ of 24.11.2014]*

**Article 389. Taxable Object**

1. The taxable object shall be land parcels situated within a municipality (the cities of federal significance Moscow, Saint Petersburg and Sevastopol) in whose territory the tax has been introduced. *[as amended by Federal Law No. 379-FZ of 29.11.2014]*

2. The following shall not be deemed to be taxable objects:

1) land parcels which have been taken out of circulation in accordance with the legislation of the Russian Federation;

2) land parcels subject to restricted circulation in accordance with the legislation of the Russian Federation which are occupied by especially valuable objects of the cultural heritage of the peoples of the Russian Federation, sites included in the World Heritage List, historical and cultural conservation areas, archaeological heritage sites and museum-reserves; *[as amended by Federal Law No. 315-FZ of 22.10.2014]*

*[3) lost force from 01.01.2013 – Federal Law No. 202-FZ of 29.11.2012]*

4) land parcels forming part of lands of the forest estate;  
*[subsection 4 as reworded by Federal Law No. 201-FZ of 04.12.2006]*

5) land parcels subject to restricted circulation in accordance with the legislation of the Russian Federation which are occupied by state-owned bodies of water forming part of the water resource stock; *[as amended by Federal Law No. 201-FZ of 04.12.2006]*

6) land parcels which form part of the common property of an apartment building.  
*[subsection 6 inserted by Federal Law No. 284-FZ of 04.10.2014]*

**Article 390. Tax Base**

1. The tax base shall be defined as the cadastral value of land parcels which are deemed to be a taxable object in accordance with Article 389 of this Code.

*[2. Lost force – Federal Law No. 63-FZ of 15.04.2019]*

**Article 391. Procedure for Determining the Tax Base**

1. The tax base shall be determined in relation to each land parcel as the cadastral value thereof entered in the Unified State Register of Immovable Property and applicable from 1 January of the year which is the tax period, taking into account the special considerations laid down in this Article. *[as amended by Federal Laws No. 334-FZ of 03.08.2018, No. 63-FZ of 15.04.2019]*

In the case of a land parcel which was formed in the course of a tax period, the tax base in that tax period shall be determined as its cadastral value as at the date of the entry in the Unified State Register of Immovable Property of information forming the basis for determining the

cadastral value of the land parcel in question. *[paragraph inserted by Federal Law No. 283-FZ of 28.11.2009, as amended by Federal Laws No. 284-FZ of 04.10.2014, No. 401-FZ of 30.11.2016]*

The tax base for a land parcel which is in the territories of a number of municipalities (in the territories of a municipality and the cities of federal significance Moscow, Saint Petersburg or Sevastopol) shall be determined for each municipality (the cities of federal significance Moscow, Saint Petersburg and Sevastopol). In this respect, the tax base for the portion of the land parcel which lies within the borders of a particular municipality (of the cities of federal significance Moscow, Saint Petersburg and Sevastopol) shall be determined as a portion of the cadastral value of the entire land parcel which is proportional to that portion of the land parcel.

*[paragraph inserted by Federal Law No. 216-FZ of 24.07.2007, as amended by Federal Law No. 379-FZ of 29.11.2014]*

*[Paragraphs 4-7 lost force – Federal Law No. 334-FZ of 3.08.2018]*

1.1. A change in the cadastral value of a land parcel during a tax period shall not be taken into account in determining the tax base in that or preceding tax periods except as otherwise provided by the legislation of the Russian Federation governing the conduct of state cadastral valuation and this clause.

Where the cadastral value of a land parcel changes as a result of the establishment of its market value, information on the changed cadastral value that has been entered in the Unified State Register of Immovable Property shall be taken into account in determining the tax base beginning from the date on which information on the cadastral value being changed began to be applied for taxation purposes.

*[clause 1.1 as reworded by Federal Law No. 374-FZ of 23.11.2020]*

2. The tax base shall be determined separately in relation to shares in the common ownership of a land parcel where different persons are recognised as the taxpayers or different tax rates have been established in relation to such shares.

3. Taxpayers which are organizations shall determine the tax base independently on the basis of information in the Unified State Register of Immovable Property concerning each land parcel which belongs to them on the basis of ownership or permanent (indefinite) use. *[as amended by Federal Laws No. 283-FZ of 28.11.2009, No. 401-FZ of 30.11.2016]*

*[Paragraph lost force from 01.01.2015 – Federal Law No. 347-FZ of 4.11.2014]*

4. For taxpayer physical persons the tax base shall be determined by tax authorities on the basis of information which is provided to tax authorities by bodies which carry out state cadastral registration and the state registration of rights in immovable property.

5. The tax base shall be reduced by the amount of the cadastral value of 600 square metres of area of a land parcel which is in the ownership, permanent (indefinite) use or lifetime inheritable possession of taxpayers belonging to one of the following categories: *[as amended by Federal Law No. 436-FZ of 28.12.2017]*

1) Heroes of the Soviet Union, Heroes of the Russian Federation and full cavaliers of the Order of Glory;

2) disabled persons of disability groups I and II;

*[subsection 2 as reworded by Federal Law No. 284-FZ of 04.10.2014]*

3) persons disabled from childhood and disabled children; *[as amended by Federal Law No. 334-FZ of 03.08.2018]*

4) veterans of and persons disabled as a result of participation in the Great Patriotic War, and veterans of and persons disabled as a result of participation in combat operations;

5) physical persons who have the right to receive social support in accordance with the Law of the Russian Federation “Concerning the Social Protection of Citizens Exposed to Radiation as a Result of the Disaster at the Chernobyl Atomic Power Plant” (as reworded by Law No. 3061-1 of the Russian Federation of 18 June 1992), in accordance with Federal Law No. 175-FZ of 26 November 1998 “Concerning the Social Protection of Citizens of the Russian Federation Who Were Exposed to Radiation as a Result of the Accident in 1957 at the “Mayak” Production Association and the Dumping of Radioactive Waste into the River Techa”, and in accordance with Federal Law No. 2-FZ of 10 January 2002 “Concerning Social Guarantees for Citizens Exposed to Radiation as a Result of Nuclear Tests on the Semipalatinsk Test Site”;

6) physical persons who, as part of special-risk subdivisions, directly participated in nuclear and thermonuclear weapons tests and in recovery operations for nuclear accidents at weapons facilities and military establishments;

7) physical persons who contracted or suffered radiation sickness or became disabled as a result of tests, training exercises and other work associated with any types of nuclear installations, including nuclear weapons and space technology;

8) pensioners who receive pensions allocated in accordance with the procedure established by pension legislation and persons who have attained the age of 60 and 55 years (men and women respectively) and are paid a monthly maintenance allowance in accordance with the legislation of the Russian Federation;

*[subsection 8 inserted by Federal Law No. 436-FZ of 28.12.2017]*

9) physical persons who meet the conditions necessary for the granting of a pension in accordance with the legislation of the Russian Federation in effect on 31 December 2018;

*[subsection 9 inserted by Federal Law No. 378-FZ of 30.10.2018]*

10) physical persons who have three or more minor-age children.

*[subsection 10 inserted by Federal Law No. 63-FZ of 15.04.2019]*

*[6. Lost force from 01.01.2018 – Federal Law No. 286-FZ of 30.09.2017]*

6.1. The reduction of the tax base in accordance with clause 5 of this Article (the tax deduction) shall take place in relation to one land parcel of the taxpayer’s choice.

A notification of the chosen land parcel in relation to which the tax deduction is to be applied shall be submitted by the taxpayer to the tax authority of its choice not later than 31 December of the year which is the tax period commencing from which the tax deduction is to be applied in relation to that land parcel. The notification of the chosen land parcel may be submitted to

the tax authority via a multifunctional centre for the provision of state and municipal services.  
*[as amended by Federal Laws No. 63-FZ of 15.04.2019, No. 325-FZ of 29.09.2019]*

*[Paragraph lost force – Federal Law No. 63-FZ of 15.04.2019]*

The notification of the chosen land parcel shall be considered by the tax authority within 30 days of its receipt. If the tax authority sends a request in accordance with clause 13 of Article 85 of this Code owing to the absence of information needed to consider the notification of the chosen land parcel, the director (deputy director) of the tax authority shall have the right to extend the time limit for the consideration of that notification by not more than 30 days, in which case the taxpayer must be notified of that fact. *[paragraph inserted by Federal Law No. 374-FZ of 23.11.2020]*

In the event of the discovery of circumstances preventing the application of a tax deduction in accordance with a notification of a chosen land parcel, the tax authority shall inform the taxpayer of that fact. *[paragraph inserted by Federal Law No. 374-FZ of 23.11.2020]*

Where a taxpayer who has a right to the application of a tax deduction fails to submit a notification of the chosen land parcel, the tax deduction shall be granted in relation to one land parcel with the highest calculated amount of tax.

The standard form of a notification shall be approved by the federal executive body in charge of control and supervision in the area of taxes and levies.  
*[clause 6.1 inserted by Federal Law No. 436-FZ of 28.12.2017]*

7. If, when a tax deduction is applied in accordance with this Article, the tax base assumes a negative value, the tax base shall be taken to be equal to zero for the purposes of calculating tax.  
*[clause 7 as reworded by Federal Law No. 436-FZ of 28.12.2017]*

8. Until 1 January of the year following the year in which the results of the mass cadastral valuation of land parcels are approved in the territories of the Republic of Crimea and the city of federal significance Sevastopol, the tax base for land parcels situated in the territories of those constituent entities of the Russian Federation shall be determined on the basis of the normative price of land which is established as at 1 January of a particular tax period by executive bodies of the Republic of Crimea and the city of federal significance Sevastopol.  
*[clause 8 inserted by Federal Law No. 379-FZ of 29.11.2014]*

### **Article 392. Special Considerations Relating to the Determination of the Tax Base for Land Parcels That Are Under Common Ownership**

1. The tax base for land parcels that are under common shared ownership shall be determined for each of the taxpayers which are owners of the land parcel in question in proportion to its share in the common shared ownership.

2. The tax base for land parcels that are under common joint ownership shall be determined for each of the taxpayers which are owners of the land parcel in question in equal proportions.

*[3. Clause 3 lost force from 01.01.2020 – Federal Law No. 325-FZ of 29.09.2019]*

**Article 393. Tax Period. Reporting Period**

1. The tax period shall be a calendar year.
2. The reporting periods for taxpayer organizations shall be the first quarter, second quarter and third quarter of a calendar year. *[as amended by Federal Laws No. 216-FZ of 24.07.2007, No. 347-FZ of 04.11.2014]*
3. When establishing the tax, the representative body of a municipality (the legislative (representative) state bodies of the cities of federal significance Moscow, Saint Petersburg and Sevastopol) shall have the right not to establish a reporting period. *[as amended by Federal Law No. 379-FZ of 29.11.2014]*

**Article 394. Tax Rate**

1. Tax rates shall be established by regulatory legal acts of representative bodies of municipalities (laws of the cities of federal significance Moscow, Saint Petersburg and Sevastopol), and may not exceed: *[as amended by Federal Law No. 379-FZ of 29.11.2014]*

1) 0.3 per cent for land parcels:

- which are classified as agricultural lands or as lands within agricultural use zones in inhabited localities and are used for agricultural production; *[as amended by Federal Law No. 283-FZ of 28.11.2009]*

- which are occupied by housing facilities and facilities of the engineering infrastructure of the housing and utility complex (with the exception of a part interest in a land parcel pertaining to a facility which is not part of housing facilities or facilities of the engineering infrastructure of the housing and utility complex), or which have been acquired (provided) for housing construction (with the exception of land parcels acquired (provided) for individual housing construction which are used in entrepreneurial activities); *[as amended by Federal Laws No. 216-FZ of 24.07.2007, No. 325-FZ of 29.09.2019]*

- which are not used in entrepreneurial activities and were acquired (provided) for the conduct of private subsidiary farming, gardening or kitchen gardening, and general-purpose land parcels such as are provided for in Federal Law No. 217-FZ of 29 July 2017 “Concerning the Conduct by Citizens of Gardening and Kitchen Gardening for Their Own Needs and Concerning the Introduction of Amendments to Certain Legislative Acts of the Russian Federation”; *[as amended by Federal Law No. 63-FZ of 15.04.2019]*

- which are subject to restrictions on transfer in accordance with the legislation of the Russian Federation and have been provided for the purpose of supporting defence, security and customs needs; *[paragraph inserted by Federal Law No. 202-FZ of 29.11.2012]*

2) 1.5 per cent for other land parcels.

2. It shall be permissible to establish differentiated tax rates based on categories of lands and (or) the authorized use of a land parcel.

*[as amended by Federal Laws No. 96-FZ of 29.06.2012, No. 325-FZ of 29.09.2019]*

3. Where tax rates have not been set by regulatory legal acts of representative bodies of municipalities (laws of the cities of federal significance Moscow, Saint Petersburg and Sevastopol), tax shall be levied at the tax rates specified in clause 1 of this Article.

*[clause 3 inserted by Federal Law No. 202-FZ of 29.11.2012, as amended by Federal Law No. 379-FZ of 29.11.2014]*

### **Article 395. Tax Exemptions**

1. The following shall be exempt from taxation:

1) penal institutions and bodies – with respect to land parcels provided specifically for the performance of the functions assigned to those institutions and bodies;

*[subsection 1 as reworded by Federal Law No. 108-FZ of 29.05.2019]*

2) organizations - with respect to land parcels which are occupied by state public highways;

*[3) lost force – Federal Law No. 141-FZ of 29.11.2004]*

4) religious organizations - with respect to land parcels belonging to them on which buildings, structures and installations designated for religious and charitable use are situated and land intended for the siting of those facilities; *[as amended by Federal Law No. 305-FZ of 02.07.2021]*

5) all-Russian social organizations of disabled persons (including those established as unions of social organizations of disabled persons) where disabled persons and their legal representatives account for no less than 80 per cent of the members - with respect to land parcels which are used by them in carrying out their statutory activities;

organizations whose charter capital consists entirely of contributions made by the above-mentioned social organizations of disabled persons, if the average number of disabled persons among their employees is no less than 50 per cent and their share of the labour payment fund is no less than 25 per cent - with respect to land parcels which are used by them for the production and (or) sale of goods (with the exception of excisable goods, mineral raw materials and other commercial minerals and other goods in accordance with a decision to be approved by the Government of the Russian Federation in consultation with all-Russian social organizations of disabled persons), work and services (with the exception of brokerage and other intermediary services);

institutions whose property is solely owned by the above-mentioned all-Russian social organizations of disabled persons - with respect to land parcels which are used by them to achieve educational, cultural, health and recreation, sport and fitness, scientific, informational and other goals associated with the social protection and rehabilitation of disabled persons, and to provide legal and other assistance to disabled persons and to disabled children and their parents;

6) folk craft organizations - with respect to land parcels which are situated in the traditional locations of folk crafts and are used for the production and sale of folk craft articles;

7) physical persons belonging to small-numbered indigenous peoples of the North, Siberia and the Far East of the Russian Federation and communities of such peoples - with respect to land

parcels which are used for the preservation and development of their traditional way of life, economic activity and industries;

*[8) lost force – Federal Law No. 141-FZ of 29.11.2004]*

9) organizations which are residents of a special economic zone, with the exception of organizations such as referred to in subsection 11 of this clause – with respect to land parcels situated in the territory of the special economic zone, for a period of 5 years from the month in which the right of ownership arises in each land parcel; *[as amended by Federal Laws No. 75-FZ of 03.06.2006, No. 305-FZ of 07.11.2011, No. 365-FZ of 30.11.2011, No. 436-FZ of 28.12.2017]*

10) organizations which are recognised as management companies in accordance with the Federal Law “Concerning the “Skolkovo” Innovation Centre” – in relation to land parcels forming part of the territory of the “Skolkovo” innovation centre which have been provided (acquired) for the direct performance of those organizations’ functions in accordance with that Federal Law;

*[subsection 10 inserted by Federal Law No. 243-FZ of 28.09.2010, as amended by Federal Law No. 339-FZ of 28.11.2011]*

11) shipbuilding organizations which have the status of resident of an industrial production special economic zone – with respect to land parcels occupied by industrial buildings, structures and installations which are owned by them and are used for the purposes of the construction and operation of vessels, from the date of registration of such organizations as a resident of special economic zone and for a period of ten years;

*[subsection 11 inserted by Federal Law No. 305-FZ of 07.11.2011]*

12) organizations which are participants in a free economic zone – with respect to land parcels which are situated in the territory of the free economic zone and are used for the purposes of the performance of an agreement on the conditions of activity in the free economic zone, for a period of three years from the month in which the right of ownership arises in each land parcel. In the event that the agreement on the conditions of activity in the free economic zone is terminated by decision of a court, the amount of tax must be calculated and paid to the budget. Tax shall be calculated without applying the tax relief provided for in this subsection for the entire period of the execution of the investment project in the free economic zone. The calculated amount of tax shall be payable upon the expiry of the reporting or tax period in which the agreement on the conditions of activity in the free economic zone was terminated, not later than the time limits established for the payment of advance tax payment for the reporting period or tax for the tax period;

*[subsection 12 inserted by Federal Law No. 379-FZ of 29.11.2014; as amended by Federal Law No. 297-FZ of 03.08.2018]*

13) organizations which are recognised as foundations in accordance with Federal Law No. 216-FZ of 29 July 2017 “Concerning Science and Technology Innovation Centres and Concerning the Introduction of Amendments to Certain Legislative Acts of the Russian Federation” – with respect to land parcels forming part of the territory of a science and technology innovation centre.

*[subsection 13 inserted by Federal Law No. 373-FZ of 30.10.2018]*

2. In the event that land parcels are divided or combined in a period in which the tax reliefs provided for in subsections 9, 11 and 12 of clause 1 of this Article are applied, the tax reliefs



provided for in subsections 9, 11 and 12 of clause 1 of this Article shall not be applied in relation to the land parcels formed as a result of the division or combination.

*[clause 2 inserted by Federal Law No. 353-FZ of 27.11.2017]*

### **Article 396. Procedure for the Calculation of Tax and Advance Tax Payments**

1. The amount of tax shall be calculated after a tax period has ended as a percentage of the tax base corresponding to the tax rate, with account taken of the special considerations established by this Article. *[as amended by Federal Law No. 63-FZ of 15.04.2019]*

2. Taxpayers which are organizations shall calculate the amount of tax (the amount of advance tax payments) independently.

*[Paragraph lost force from 01.01.2015 – Federal Law No. 347-FZ of 4.11.2014]*

3. The amount of tax payable to the budget by taxpayer physical persons shall be calculated by the tax authorities.

*[clause 3 as reworded by Federal Law No. 347-FZ of 04.11.2014]*

*[4. Lost force from 01.01.2011 – Federal Law No. 229-FZ of 27.07.2010]*

5. The amount of tax payable to the budget on the basis of the results for a tax period shall be determined by taxpayer organizations as the difference between the amount of tax calculated in accordance with clause 1 of this Article and amounts of advance tax payments payable during the tax period. *[as amended by Federal Laws No. 229-FZ of 27.07.2010, No. 347-FZ of 04.11.2014]*

6. Taxpayers for whom the reporting period is established as a quarter shall calculate amounts of advance tax payments upon the expiration of the first, second and third quarters of the current tax period as one quarter of a percentage corresponding to the tax rate of the cadastral value of a land parcel. *[as amended by Federal Law No. 334-FZ of 03.08.2018]*

7. Where the right of ownership (permanent (indefinite) use, lifetime inheritable possession) in a land parcel (a portion thereof) arises (ceases) for a taxpayer during a tax (reporting) period, the amount of tax (the amount of the advance tax payment) for that land parcel shall be calculated with the application of a coefficient which is determined as the ratio of the number of full months during which the land parcel in question was under the ownership (permanent (indefinite) use, lifetime inheritable possession) of the taxpayer to the number of calendar months in the tax (reporting) period.

If the right of ownership (permanent (indefinite) use, lifetime inheritable possession) in a land parcel (a portion thereof) arose on or before the 15<sup>th</sup> of a particular month or that right ceased after the 15<sup>th</sup> of a particular month, the month in which that right arose (ceased) shall be taken as a full month.

If the right of ownership (permanent (indefinite) use, lifetime inheritable possession) in a land parcel (a portion thereof) arose after the 15<sup>th</sup> of a particular month or that right ceased on or before the 15<sup>th</sup> of a particular month, the month in which that right arose (ceased) shall not be taken into account in determining the coefficient which is referred to in this clause.

*[clause 7 as reworded by Federal Law No. 284-FZ of 04.10.2014]*

7.1. If, during a tax (reporting) period, the cadastral value of a land parcel changes as a result of changes in its characteristics, the amount of tax (amount of the advance tax payment) in respect of the land parcel in question shall be calculated using a coefficient determined in accordance with a procedure similar to that which is established by clause 7 of this Article.

*[clause 7.1 inserted by Federal Law No. 335-FZ of 27.11.2017; as amended by Federal Laws No. 334-FZ of 03.08.2018, No. 374-FZ of 23.11.2020]*

8. In the case of a land parcel (a portion thereof) which has passed by inheritance, tax shall be calculated from the day on which the inheritance commences. *[as amended by Federal Laws No. 334-FZ of 03.08.2018, No. 325-FZ of 29.09.2019]*

9. The representative body of a municipality (the legislative (representative) bodies of the cities of federal significance Moscow, Saint Petersburg and Sevastopol) may, when establishing the tax, stipulate the right of certain categories of taxpayers not to calculate and pay advance tax payments during a tax period. *[as amended by Federal Law No. 379-FZ of 29.11.2014]*

10. Taxpayers who have a right to tax reliefs established by tax and levy legislation, including in the form of a tax deduction, shall submit an application for the granting of a tax relief to the tax authority of their choice and shall have the right to submit documents supporting the taxpayer's right to the tax relief. *[as amended by Federal Laws No. 286-FZ of 30.09.2017, No. 436-FZ of 28.12.2017, No. 63-FZ of 15.04.2019]*

The submission of an application for a tax relief, confirmation of the taxpayer's right to a tax relief, the consideration of the application by the tax authority and the sending to the taxpayer of a notification of the granting of a tax relief or a notice of refusal to grant a tax relief shall take place in accordance with a procedure similar to that prescribed by clause 3 of Article 361.1 of this Code. *[paragraph inserted by Federal Law No. 286-FZ of 30.09.2017; as amended by Federal Laws No. 63-FZ of 15.04.2019, No. 325-FZ of 29.09.2019]*

The forms of applications of taxpayer organizations and physical persons for the granting of tax reliefs, the procedure for completing them, the formats for submitting such applications in electronic form and the forms of a notification of the granting of a tax relief and a notice of refusal to grant a tax relief shall be approved by the federal executive body in charge of control and supervision in the area of taxes and levies. *[as amended by Federal Law No. 325-FZ of 29.09.2019]*

Where a taxpayer who has a right to a tax relief, including in the form of a tax deduction, has not submitted an application for the tax relief to the tax authority or waived the application of the tax relief, the tax relief shall be granted on the basis of information received by the tax authority in accordance with this Code and other federal laws beginning from the tax period in which the right to the tax relief arose for the taxpayer. *[paragraph inserted by Federal Law No. 63-FZ of 15.04.2019; as amended by Federal Laws No. 374-FZ of 23.11.2020, No. 305-FZ of 02.07.2021]*

Where the right to a tax relief arises (ceases) for taxpayers during a tax (reporting) period, the amount of tax (the amount of the advance tax payment) for the land parcel in relation to which a tax relief is granted shall be calculated using a coefficient determined as the ratio of the number of full months during which there is no tax relief to the number of calendar months in the tax (reporting) period. In this respect, the month in which the right to a tax relief arises and the month in which that right ceases shall be taken as full months. *[as amended by Federal Law No. 374-FZ of 23.11.2020]*

*[11-13. Lost force – Federal Law No. 248-FZ of 23.07.2013]*

*[14. Lost force from 01.01.2020 – Federal Law No. 325-FZ of 29.09.2019]*

*[EY Note: Paragraph 1 of clause 15 of Article 396 is amended from 01.01.2022 – Federal Law No. 305-FZ of 02.07.2021]*

15. With respect to land parcels ownership of which was acquired by (provided to) physical persons and legal entities on condition of carrying out housing construction thereon, other than individual housing construction, the amount of tax (the amount of advance tax payments) shall be calculated using a coefficient of 2 during a three-year period of construction commencing from the date of the state registration of rights in the land parcels in question until the state registration of rights in the constructed item of immovable property has taken place. In the event that such housing construction and the state registration of rights in the constructed item of immovable property are completed before the expiration of the three-year construction period, the amount of tax paid during that period in excess of an amount of tax calculated using a coefficient of 1 shall be deemed to be an amount of overpaid tax and shall be offset for (refunded to) the taxpayer according to the generally established procedure. *[as amended by Federal Laws No. 283-FZ of 28.11.2009, No. 229-FZ of 27.07.2010, No. 347-FZ of 04.11.2014, No. 382-FZ of 29.11.2014]*

*[EY Note: Paragraph 2 of clause 15 of Article 396 is amended from 01.01.2022 – Federal Law No. 305-FZ of 02.07.2021]*

With respect to land parcels ownership of which was acquired by (provided to) physical persons and legal entities on condition of carrying out housing construction thereon, other than individual housing construction, the amount of tax (the amount of advance tax payments) shall be calculated using a coefficient of 4 during any period in excess of the three-year construction period until the date of state registration of rights in the constructed item of immovable property. *[as amended by Federal Laws No. 283-FZ of 28.11.2009, No. 229-FZ of 27.07.2010, No. 347-FZ of 04.11.2014, No. 382-FZ of 29.11.2014]*

*[clause 15 as reworded by Federal Law No. 216-FZ of 24.07.2007]*

16. With respect to land parcels ownership of which was acquired by (provided to) physical persons and legal entities for individual housing construction, the amount of tax (the amount of advance tax payments) shall be calculated using a coefficient of 2 upon the expiration of a period of 10 years from the date of state registration of rights in the land parcels concerned until the state registration of rights in the constructed item of immovable property has taken place. *[clause 16 as reworded by Federal Law No. 216-FZ of 24.07.2007]*

17. In the event that the amount of tax calculated in relation to a land parcel in accordance with this Article (without taking into account the provisions of clauses 7 and 7.1 and paragraph 5 of clause 10 of this Article) exceeds the amount of tax calculated in relation to that land parcel (without taking into account the provisions of clauses 7 and 7.1 and paragraph 5 of clause 10 of this Article) for the preceding tax period with a multiplier of 1.1 applied, taxpayer physical persons shall pay an amount of tax equal to the amount of tax calculated in accordance with this Article (without taking into account the provisions of clauses 7 and 7.1 and paragraph 5 of clause 10 of this Article) for the preceding tax period with a multiplier of 1.1 applied and with

account taken of the provisions of clauses 7 and 7.1 and paragraph 5 of clause 10 of this Article applied to the tax period for which the amount of tax is calculated.

The provisions of this clause shall not apply when tax is calculated with account taken of the provisions of clauses 15 and 16 of this Article.

*[clause 17 inserted by Federal Law No. 63-FZ of 15.04.2019]*

18. A body which carries out state land supervision shall be obliged, within ten days from the day on which an order was issued to remedy an identified violation of the requirements of land legislation involving the non-use for agricultural production of a land parcel possessed by an organization or a physical person on the basis of ownership, permanent (indefinite) use or lifetime inheritable possession which is classed as land designated for agricultural use or land forming part of agricultural use zones in inhabited localities (with the exception of land parcels referred to in paragraphs 4 and 5 of subsection 1 of clause 1 of Article 394 of this Code), to submit to the tax authority for the constituent entity of the Russian Federation information on the non-use of the land parcel in question for agricultural production.

If a body which carries out state land supervision establishes that the above-mentioned violation has been remedied or if the above-mentioned order is cancelled, information on the establishment of that fact or the cancellation of that order shall be submitted to the tax authority for the constituent entity of the Russian Federation within ten days.

The form and procedure for completing it and the format and procedure for the submission of information provided for in this clause in electronic form shall be approved by the federal executive body in charge of control and supervision in the area of taxes and levies.

A body which carries out state land supervision shall also submit the information provided for in this clause to the tax authority upon its request within five days of such a request being received.

The information provided for in this clause shall be submitted to tax authorities free of charge.

*[clause 18 inserted by Federal Law No. 325-FZ of 29.09.2019]*

19. An executive body of a constituent entity of the Russian Federation or an institution under its jurisdiction that has been authorized by the highest state executive body of the constituent entity of the Russian Federation and exercises social welfare functions in accordance with the legislation of the constituent entity of the Russian Federation shall be obliged to submit information on physical persons who have three or more minor-age children to the tax authority for the constituent entity of the Russian Federation on an annual basis by 1 March of the year following the year for which that information is submitted.

The form and procedure for completing it and the format and procedure for the submission of information provided for in this clause in electronic form shall be approved by the federal executive body in charge of control and supervision in the area of taxes and levies.

An executive body of a constituent entity of the Russian Federation or an institution under its jurisdiction that acts under the authority of the highest state executive body of the constituent entity of the Russian Federation and exercises social welfare functions in accordance with the legislation of the constituent entity of the Russian Federation shall also submit the information



provided for in this clause to the tax authority upon its request within five days of such a request being received.

The information provided for in this clause shall be submitted to tax authorities free of charge.  
*[clause 19 inserted by Federal Law No. 325-FZ of 29.09.2019]*

20. A body or other person authorized by a federal executive body or a federal state body in which federal laws provide for military service (equated service) or by the federal executive body in charge of control and supervision in the customs sphere shall be obliged to submit to the tax authority for a constituent entity of the Russian Federation information on the cadastral numbers of land parcels that have been provided for permanent (indefinite) use to those federal bodies and to bodies and other persons under their jurisdiction and are classified as land parcels withdrawn from circulation in accordance with the legislation of the Russian Federation and as land parcels subject to restricted circulation in accordance with the legislation of the Russian Federation that have been provided for defence, security and customs requirements, on an annual basis by 1 March of the year following the year for which that information is submitted.

The form for the submission of information provided for in this clause, the procedure for completing it and the format and procedure for the submission of that information shall be approved by the federal executive body in charge of control and supervision in the area of taxes and levies.

The information provided for in this clause shall also be submitted by a body or other person authorized by a federal executive body or a federal state body in which federal laws provide for military service (equated service) or by the federal executive body in charge of control and supervision in the customs sphere to the tax authority for a constituent entity of the Russian Federation upon its request within five days of the receipt of that request.

The information provided for in this clause shall be submitted to the tax authorities free of charge.

The provisions of this clause shall not apply to bodies of the federal security service and the federal executive body charged with protecting the population and territories against emergencies.

*[clause 20 inserted by Federal Law No. 374-FZ of 23.11.2020]*

### **Article 397. Procedure and Time Limits for the Payment of Tax and Advance Tax Payments**

1. Tax and advance tax payments shall be payable by taxpayer organizations according to the procedure established by regulatory legal acts of representative bodies of municipalities (laws of the cities of federal significance Moscow, Saint Petersburg and Sevastopol). *[as amended by Federal Laws No. 347-FZ of 04.11.2014, No. 379-FZ of 29.11.2014, No. 325-FZ of 29.09.2019]*

Tax shall be payable by taxpayer organizations not later than 1 March of the year following a tax period that has ended. Advance tax payments must be paid by taxpayer organizations not later than the last day of the month following an accounting period that has ended. *[as amended by Federal Law No. 325-FZ of 29.09.2019]*

Tax shall be payable by taxpayers who are physical persons not later than 1 December of the year following a tax period which has ended. *[as amended by Federal Laws No. 334-FZ of 02.12.2013, No. 320-FZ of 23.11.2015]*

2. During a tax period taxpayer organizations shall pay advance tax payments unless otherwise provided by a regulatory legal act of the representative body of a municipality (laws of the cities of federal significance Moscow, Saint Petersburg and Sevastopol). After the tax period has ended taxpayer organizations shall pay the amount of tax calculated in accordance with the procedure laid down in clause 5 of Article 396 of this Code. *[as amended by Federal Laws No. 216-FZ of 24.07.2007, No. 229-FZ of 27.07.2010, No. 347-FZ of 04.11.2014, No. 379-FZ of 29.11.2014]*

3. Tax and advance tax payments shall be paid by taxpayer organizations to the budget at the location of land parcels which are deemed to be a taxable object in accordance with Article 389 of this Code. *[as amended by Federal Laws No. 229-FZ of 27.07.2010, No. 347-FZ of 04.11.2014]*

4. Taxpayer physical persons shall pay tax on the basis of a tax demand sent by a tax authority. *[as amended by Federal Laws No. 229-FZ of 27.07.2010, No. 347-FZ of 04.11.2014]*

A tax demand may be sent for not more than the three tax periods preceding the calendar year in which it is sent.

*[paragraph inserted by Federal Law No. 283-FZ of 28.11.2009]*

Taxpayers such as are referred to in paragraph 1 of this clause shall pay tax for not more than the three tax periods preceding the calendar year in which a tax demand such as is referred to in paragraph 2 of this clause is sent.

*[paragraph inserted by Federal Law No. 283-FZ of 28.11.2009]*

The refund (crediting) of an amount of tax which has been paid (recovered) in excess in connection with the recalculation of the amount of tax shall take place in respect of the period for which the recalculation was made in accordance with the procedure established by Articles 78 and 79 of this Code.

*[paragraph inserted by Federal Law No. 283-FZ of 28.11.2009]*

5. For the purposes of ensuring that taxpayer organizations pay tax in full, notices of amounts of tax calculated by tax authorities shall be transmitted (sent) by tax authorities to those taxpayer organizations, the taxpayers in question shall submit to the tax authorities explanations and (or) documents confirming the correct calculation and complete and timely payment of tax, the legitimacy of the application of reduced tax rates and tax reliefs or the existence of grounds provided for in tax and levy legislation for exemption from the payment of tax and tax authorities shall consider explanations and (or) documents submitted by such taxpayers and transmit (send) revised notices of calculated amounts of tax to such taxpayers in accordance with the procedure and within the time limits similar to the procedure and time limits laid down in clauses 4 to 7 of Article 363 of this Code. *[as amended by Federal Law No. 305-FZ of 02.07.2021]*

A taxpayer organization shall be sent a tax payment demand in accordance with clause 1 of Article 70 of this Code if arrears are found to exist following the consideration by the tax authority of explanations and (or) documents submitted by the taxpayer organization confirming the correct calculation and complete and timely payment of tax, the legitimacy of the application of reduced tax rates and tax reliefs or the existence of grounds provided for in

tax and levy legislation for exemption from the payment of tax, or if arrears are found to exist without necessary explanations and (or) documents being submitted.

*[clause 5 inserted by Federal Law No. 63-FZ of 15.04.2019]*

*[Article 398. Lost force from 01.01.2021 – Federal Law No. 63-FZ of 15.04.2019]*

## **CHAPTER 32. TAX ON PROPERTY OF PHYSICAL PERSONS**

*[inserted by Federal Law No. 284-FZ of 04.10.2014]*

### **Article 399. General Provisions** *[inserted by Federal Law No. 284-FZ of 04.10.2014]*

1. The tax on property of physical persons (hereafter in this Chapter referred to as “tax”) shall be established by this Code and regulatory legal acts of representative bodies of municipalities, shall be brought into effect and cease to have effect in accordance with this Code and regulatory legal acts of representative bodies of municipalities and shall be compulsorily payable in the territories of those municipalities.

In the cities of federal significance Moscow, Saint Petersburg and Sevastopol, the tax shall be established by this Code and laws of those constituent entities of the Russian Federation, shall be brought into effect and cease to have effect in accordance with this Code and laws of those constituent entities of the Russian Federation and shall be compulsorily payable in the territories of those constituent entities of the Russian Federation.

2. When establishing the tax, representative bodies of municipalities (legislative (representative) state bodies of the cities of federal significance Moscow, Saint Petersburg and Sevastopol) shall set tax rates within the limits established by this Chapter and lay down special considerations relating to the determination of the tax base in accordance with this Chapter.

When establishing the tax, regulatory legal acts of representative bodies of municipalities (laws of the cities of federal significance Moscow, Saint Petersburg and Sevastopol) may also establish tax reliefs which are not stipulated by this Chapter and the grounds and procedure for the application thereof.

### **Article 400. Taxpayers** *[inserted by Federal Law No. 284-FZ of 04.10.2014]*

Taxpayers of the tax (hereafter in this Chapter referred to as “taxpayers”) shall be physical persons possessing the right of ownership in property which is deemed to be a taxable object in accordance with Article 401 of this Code.

### **Article 401. Taxable Object** *[inserted by Federal Law No. 284-FZ of 04.10.2014]*

1. The following property situated within a municipality (or the city of federal significance Moscow, Saint Petersburg or Sevastopol) shall be deemed to be a taxable object:

1) a dwelling house;

2) an apartment or room;

*[subsection 2 as reworded by Federal Law No. 286-FZ of 30.09.2017]*

- 3) a garage or a parking space;
- 4) an integrated immovable complex;
- 5) an unfinished structure;
- 6) another building, structure, installation or premises.

2. For the purposes of this Chapter, houses and residential structures situated on land parcels for private subsidiary farming, kitchen gardening, gardening or private garage or private residential construction shall be classified as dwelling houses. *[as amended by Federal Laws No. 401-FZ of 30.11.2016, No. 321-FZ of 29.09.2019]*

3. Property forming part of the common property of an apartment building shall not be deemed to be a taxable object.

*[Article 402. Lost force from 01.01.2021 – Federal Law No. 374-FZ of 23.11.2020]*

**Article 403. Tax Base** *[as amended by Federal Law No. 374-FZ of 23.11.2020] [inserted by Federal Law No. 284-FZ of 04.10.2014]*

1. The tax base shall be determined in relation to each taxable object as the cadastral value thereof entered in the Unified State Register of Immovable Property and applicable from 1 January of the year which is the tax period, with account taken of the special considerations laid down in this Article.

2. In the case of a taxable object which is formed in the course of a tax period, the tax base in that tax period shall be determined as its cadastral value as at the date of the entry in the Unified State Register of Immovable Property of information forming the basis for determining the cadastral value of the object in question.

A change in the cadastral value of a taxable object which occurs in the course of a tax period shall not be taken into account in determining the tax base in that or preceding tax periods, except as otherwise provided by the legislation of the Russian Federation governing the conduct of state cadastral valuation and this clause. *[as amended by Federal Law No. 374-FZ of 23.11.2020]*

*[Paragraphs 3-4 lost force from 01.01.2021 – Federal Law No. 374-FZ of 23.11.2020]*

Where the cadastral value of a taxable object changes as a result of the establishment of its market value, information on the changed cadastral value that has been entered in the Unified State Register of Immovable Property shall be taken into account in determining the tax base beginning from the date on which information on the cadastral value being changed began to be applied for taxation purposes. *[as amended by Federal Law No. 374-FZ of 23.11.2020]*  
*[clause 2 as reworded by Federal Law No. 334-FZ of 03.08.2018]*

3. The tax base for an apartment or a part of a dwelling house shall be determined as its cadastral value reduced by the amount of the cadastral value of 20 square metres of the total area of the apartment. *[as amended by Federal Law No. 334-FZ of 03.08.2018]*



4. The tax base for a room or part of an apartment shall be determined as its cadastral value reduced by the amount of the cadastral value of 10 square metres of the total area of the room.

*[as amended by Federal Law No. 334-FZ of 03.08.2018]*

5. The tax base for a dwelling house shall be determined as its cadastral value reduced by the amount of the cadastral value of 50 square metres of the total area of the dwelling house.

6. The tax base for an integrated immovable complex which includes at least one dwelling house shall be determined as its cadastral value reduced by one million roubles. *[as amended by Federal Law No. 286-FZ of 30.09.2017]*

6.1. The tax base for taxable objects referred to in clauses 3 to 5 of this Article which are owned by physical persons who have three or more minor-age children shall be reduced by the amount of the cadastral value of 5 square metres of the total area of an apartment or the area of a part of an apartment or a room and 7 square metres of the total area of a dwelling house or a part of a dwelling house for each minor-age child.

The tax deduction provided for in this clause shall be granted in relation to one taxable object of each type (apartment, part of an apartment, room, dwelling house, part of a dwelling house) in accordance with a procedure similar to the procedure laid down in clauses 6 and 7 of Article 407 of this Code, including where an appropriate application or notification is not submitted to the tax authority.

*[clause 6.1 inserted by Federal Law No. 63-FZ of 15.04.2019]*

7. Representative bodies of municipalities (legislative (representative) state bodies of the cities of federal significance Moscow, Saint Petersburg and Sevastopol) shall have the right to increase the amounts of the tax deductions which are provided for in clauses 3 to 6.1 of this Article. *[as amended by Federal Law No. 63-FZ of 15.04.2019]*

8. In the event that the tax base assumes a negative value when the tax deductions which are provided for in clauses 3 to 6.1 of this Article are applied, the tax base shall be taken to be equal to zero for the purposes of calculating tax. *[as amended by Federal Law No. 63-FZ of 15.04.2019]*

*[Article 404. Lost force from 01.01.2021 – Federal Law No. 374-FZ of 23.11.2020]*

#### **Article 405. Tax Period**

*[inserted by Federal Law No. 284-FZ of 04.10.2014]*

The tax period shall be the calendar year.

#### **Article 406. Tax Rates**

*[inserted by Federal Law No. 284-FZ of 04.10.2014]*

*[1. Lost force from 01.01.2021 – Federal Law No. 374-FZ of 23.11.2020]*

2. Tax rates shall be set by regulatory legal acts of representative bodies of municipalities (laws of the cities of federal significance Moscow, Saint Petersburg and Sevastopol) at levels not exceeding:

1) 0.1 per cent in relation to:

- dwelling houses, parts of dwelling houses, apartments, parts of apartments and rooms; *[as amended by Federal Law No. 374-FZ of 23.11.2020]*

- unfinished structures where the planned use of such structures is as a dwelling house;

- integrated immovable complexes which include at least one dwelling house; *[as amended by Federal Law No. 286-FZ of 30.09.2017]*

- garages and parking spaces, including when situated in taxable objects referred to in subsection 2 of this clause; *[as amended by Federal Law No. 334-FZ of 03.08.2018]*

- utility structures or installations which have an area not exceeding 50 square metres each and are situated on land parcels for private subsidiary farming, kitchen gardening, gardening or individual housing construction; *[as amended by Federal Law No. 321-FZ of 29.09.2019]*

2) 2 per cent in relation to taxable objects which are included in the list which is determined in accordance with clause 7 of Article 378.2 of this Code, in relation to taxable objects which are provided for in paragraph 2 of clause 10 of Article 378.2 of this Code, and in relation to taxable objects which have a cadastral value exceeding 300 million roubles each;

3) 0.5 per cent in relation to other taxable objects.

3. The tax rates indicated in subsection 1 of clause 2 of this Article may be reduced to zero or increased, but not more than threefold, by regulatory legal acts of representative bodies of municipalities (laws of the cities of federal significance Moscow, Saint Petersburg and Sevastopol).

*[4. Lost force from 01.01.2021 – Federal Law No. 374-FZ of 23.11.2020]*

5. Differentiated tax rates may be established according to:

1) the cadastral value of a taxable object; *[as amended by Federal Law No. 374-FZ of 23.11.2020]*

2) the type of taxable object;

3) the location of a taxable object;

*[4) lost force from 01.01.2020 – Federal Law No. 325-FZ of 29.09.2019]*

6. Where tax rates are not specified by regulatory legal acts of representative bodies of municipalities (laws of the cities of federal significance Moscow, Saint Petersburg and Sevastopol), tax shall be levied at the tax rates specified in clause 2 of this Article.

*[clause 6 as reworded by Federal Law No. 374-FZ of 23.11.2020]*

#### **Article 407. Tax Reliefs**

*[inserted by Federal Law No. 284-FZ of 04.10.2014]*

1. Taking into account the provisions of this Article, the following categories of taxpayers shall have the right to a tax relief:

- 1) Heroes of the Soviet Union and Heroes of the Russian Federation, and persons awarded three classes of the Order of Glory;
- 2) disabled persons of disability groups I and II;
- 3) persons disabled from childhood and disabled children; *[as amended by Federal Law No. 334-FZ of 03.08.2018]*
- 4) participants in the civil war, the Great Patriotic War and other combat operations for the defence of the USSR among servicemen who served in military units, staffs and institutions which were part of the active army and former partisans, and veterans of combat operations; *[as amended by Federal Law No. 396-FZ of 29.12.2015]*
- 5) persons within the civilian staff of the Soviet Army, the Navy, internal affairs bodies and state security bodies who held established posts in military units, staffs and institutions which were part of the active army during the Great Patriotic War, or persons who, during that period, were resident in towns with respect to which participation in the defence thereof is included for such persons in the period of service for the purposes of the allocation of a pension on the preferential terms which are established for servicemen of units of the active army;
- 6) persons who have the right to receive social support in accordance with Law No. 1244-1 of the Russian Federation of 15 May 1991 “Concerning the Social Protection of Citizens who were Exposed to Radiation as a Consequence of the Disaster at the Chernobyl Atomic Power Plant” and in accordance with Federal Law No. 175-FZ of 26 November 1998 “Concerning the Social Protection of Citizens of the Russian Federation who were Exposed to Radiation as a Consequence of the Accident in 1957 at the “Mayak” Production Association and the Dumping of Radioactive Waste into the River Techa” and Federal Law No. 2-FZ of 10 January 2002 “Concerning Social Guarantees for Citizens Exposed to Radiation as a Consequence of Nuclear Tests at the Semipalatinsk Test Site”;
- 7) servicemen and citizens discharged from military service upon attaining the maximum age for military service, for health reasons or in connection with staffing measures whose overall length of military service is 20 years or more;
- 8) persons who, as members of special-risk subdivisions, participated directly in nuclear and thermonuclear weapons tests and in rectifying nuclear installation accidents at weapons facilities and military installations;
- 9) members of the families of servicemen who have lost the breadwinner, who are recognised as such in accordance with Federal Law No. 76-FZ of 27 May 1998 “Concerning the Status of Servicemen”; *[as amended by Federal Law No. 396-FZ of 29.12.2015]*
- 10) pensioners who receive pensions allocated in accordance with the procedure established by pension legislation and persons aged 60 and 55 years or more (men and women respectively) who are paid a monthly maintenance payment in accordance with the legislation of the Russian Federation;

10.1) physical persons who meet the conditions necessary for the granting of a pension in accordance with the legislation of the Russian Federation in effect on 31 December 2018;

*[subsection 10.1 inserted by Federal Law No. 378-FZ of 30.10.2018]*

11) citizens discharged from military service or called up for military training who did international duty in Afghanistan or other countries where combat operations took place;

12) physical persons who contracted or suffered radiation sickness or became disabled as a result of tests, training exercises and other work associated with any types of nuclear installations, including nuclear weapons and space technology;

13) parents and spouses of servicemen and state servants who died in the course of performing service duties;

14) physical persons who carry on professional creative activities – with respect to specially equipped premises and installations which are used by them exclusively as creative workshops, ateliers and studios, and dwelling houses, apartments and rooms which are used for the organization of non-state museums, galleries and libraries which are open to visitors – for the period of their use as such; *[as amended by Federal Law No. 286-FZ of 30.09.2017]*

15) physical persons – with respect to utility structures or installations which have an area not exceeding 50 square metres each and are situated on land parcels for private subsidiary farming, kitchen gardening, gardening or private garage or private residential construction. *[as amended by Federal Law No. 321-FZ of 29.09.2019]*

2. A tax relief shall be granted in an amount equal to the amount of tax payable by a taxpayer in relation to a taxable object which is owned by the taxpayer and is not used by the taxpayer in entrepreneurial activities.

3. In determining the amount of tax payable by a taxpayer, a tax relief shall be granted in relation to one taxable object of each type at the taxpayer's option, irrespective of the number of grounds for the application of tax reliefs.

4. A tax relief shall be granted in relation to the following types of taxable objects:

1) an apartment, a part of an apartment or a room; *[as amended by Federal Law No. 334-FZ of 03.08.2018]*

2) a dwelling house or a part of a dwelling house; *[as amended by Federal Law No. 334-FZ of 03.08.2018]*

3) a premises or installation such as are referred to in subsection 14 of clause 1 of this Article;

4) a utility structure or installation such as are referred to in subsection 15 of clause 1 of this Article;

5) a garage or a parking space.

5. A tax relief shall not be granted in relation to taxable objects such as are referred to in subsection 2 of clause 2 of Article 406 of this Code, with the exception of garages and parking spaces situated in those taxable objects. *[as amended by Federal Law No. 334-FZ of 03.08.2018]*

6. Physical persons who have a right to tax reliefs established by tax and levy legislation shall submit an application for the granting of a tax relief to the tax authority of their choice and shall have the right to present documents supporting the taxpayer's right to the tax relief.

The submission of an application for a tax relief, confirmation of the taxpayer's right to a tax relief, the consideration of the application by the tax authority and the sending to the taxpayer of a notification of the granting of a tax relief or a notice of refusal to grant a tax relief shall take place in accordance with a procedure similar to that prescribed by clause 3 of Article 361.1 of this Code. *[as amended by Federal Laws No. 63-FZ of 15.04.2019, No. 325-FZ of 29.09.2019]*

The form of an application for the granting of a tax relief and the procedure for completing it, the format for submitting such an application in electronic form and the forms of a notification of the granting of a tax relief and a notice of refusal to grant a tax relief shall be approved by the federal executive body in charge of control and supervision in the area of taxes and levies. *[as amended by Federal Law No. 325-FZ of 29.09.2019]*

Where a taxpayer who has a right to a tax relief has not submitted an application for the tax relief to the tax authority or waived the application of the tax relief, the tax relief shall be granted on the basis of information received by the tax authority in accordance with this Code and other federal laws beginning from the tax period in which the right to a tax relief arose for the taxpayer. *[paragraph inserted by Federal Law No. 63-FZ of 15.04.2019; as amended by Federal Law No. 374-FZ of 23.11.2020]*

*[clause 6 as reworded by Federal Law No. 286-FZ of 30.09.2017]*

7. A notification of chosen taxable objects in relation to which a tax relief is to be granted shall be submitted by a taxpayer to a tax authority at his own option not later than 1 December of the year which is the tax period commencing from which a tax relief is to be granted in relation to those objects. The notification of chosen taxable objects may be submitted to the tax authority via a multifunctional centre for the provision of state and municipal services. *[as amended by Federal Laws No. 63-FZ of 15.04.2019, No. 325-FZ of 29.09.2019]*

*[Paragraph lost force – Federal Law No. 63-FZ of 15.04.2019]*

The notification of the chosen taxable object shall be considered by the tax authority within 30 days of its receipt. If the tax authority sends a request in accordance with clause 13 of Article 85 of this Code owing to the absence of information needed to consider the notification of the chosen taxable object, the director (deputy director) of the tax authority shall have the right to extend the time limit for the consideration of that notification by not more than 30 days, in which case the taxpayer must be notified of that fact. *[paragraph inserted by Federal Law No. 374-FZ of 23.11.2020]*

In the event of the discovery of circumstances preventing the application of a tax relief in accordance with a notification of the chosen taxable object, the tax authority shall inform the taxpayer of that fact. *[paragraph inserted by Federal Law No. 374-FZ of 23.11.2020]*

In the event that a taxpayer who has the right to a tax relief does not submit a notification of the chosen taxable object, the tax relief shall be granted in relation to one taxable object of each type with the highest calculated amount of tax.

The standard form of a notification shall be approved by the federal executive body in charge of control and supervision in the area of tax and levies.

**Article 408. Procedure for Calculating the Amount of Tax**

*[inserted by Federal Law No. 284-FZ of 04.10.2014]*

1. The amount of tax shall be calculated by tax authorities after a tax period has ended, separately for each taxable object, as a percentage of the tax base which corresponds to the tax rate, with account taken of the special considerations which are established by this Article.

2. The amount of tax shall be calculated on the basis of information presented to the tax authorities in accordance with Article 85 of this Code, except as otherwise provided by clause 2.1 of this Article. *[as amended by Federal Law No. 63-FZ of 15.04.2019]*

*[Paragraph lost force – Federal Law No. 305-FZ of 02.07.2021]*

2.1. In the case of a taxable object that has ceased to exist by reason of the loss or destruction thereof, tax shall cease to be calculated from the 1<sup>st</sup> of the month in which the loss or destruction of the object occurred on the basis of a declaration of the loss or destruction thereof submitted by the taxpayer to a tax authority of its choice. The taxpayer may submit together with that declaration documents confirming the loss or destruction of the taxable object. The above-mentioned declaration and documents may be submitted to the tax authority via a multifunctional centre for the provision of state and municipal services. *[as amended by Federal Law No. 325-FZ of 29.09.2019]*

Where a tax authority does not have documents confirming the loss or destruction of a taxable object, including where they have not been submitted by the taxpayer himself, the tax authority shall, on the basis of information stated in the taxpayer's declaration of the loss or destruction of the taxable object, request information confirming the loss or destruction of the taxable object from bodies and other persons that possess that information.

A body or other person that has received a request from a tax authority to provide information confirming the loss or destruction of a taxable object shall fulfil that request within seven days of receiving it or, within the same time period, notify the tax authority of the reasons for not fulfilling the request.

The tax authority shall be obliged, within three days of receiving that notice, to inform the taxpayer of the fact that it has not received requested information confirming the loss or destruction of the taxable object and of the need for the taxpayer to submit supporting documents to the tax authority.

A declaration of the loss or destruction of a taxable object shall be considered by the tax authority within 30 days of its receipt. If the tax authority sends a request such as is provided for in this clause, the director (deputy director) of the tax authority shall have the right to extend

the time limit for the consideration of the declaration by no more than 30 days, in which case the taxpayer must be notified of this fact. *[paragraph inserted by Federal Law No. 374-FZ of 23.11.2020]*

After considering the declaration of the loss or destruction of a taxable object, the tax authority shall send to the taxpayer, by the method indicated in the declaration, a notification of the cessation of the calculation of tax owing to the loss or destruction of the taxable object or a notice of the absence of grounds for the cessation of the calculation of tax in connection with the loss or destruction of the taxable object. *[paragraph inserted by Federal Law No. 374-FZ of 23.11.2020]*

A notification of the cessation of the calculation of tax in connection with the loss or destruction of a taxable object must indicate the grounds for the cessation of the calculation of tax, taxable objects and the period beginning from which tax is to cease to be calculated. A notice of the absence of grounds for the cessation of the calculation of tax in connection with the loss or destruction of a taxable object must indicate the grounds for disallowing the cessation of the calculation of tax and taxable objects. *[paragraph inserted by Federal Law No. 374-FZ of 23.11.2020]*

The form of a declaration of the loss or destruction of a taxable object, the procedure for completing it and the format for the submission of the declaration in electronic form and the forms of a notification of the cessation of the calculation of tax in connection with the loss or destruction of a taxable object and a notice of the absence of grounds for the cessation of the calculation of tax in connection with the loss or destruction of a taxable object shall be approved by the federal executive body in charge of control and supervision in the area of taxes and levies. *[as amended by Federal Law No. 374-FZ of 23.11.2020]*

*[clause 2.1 inserted by Federal Law No. 63-FZ of 15.04.2019]*

3. Where a taxable object is under common shared ownership, tax shall be calculated in accordance with clause 1 of this Article with account taken of the provisions of clause 8 of this Article for each of the participants in shared ownership in proportion to his share in the ownership of the taxable object in question.

Where a taxable object is under common joint ownership, tax shall be calculated in accordance with clause 1 of this Article with account taken of the provisions of clause 8 of this Article in equal portions for each of the participants in the joint ownership.

4. In the event that a taxpayer's share in the common ownership of a taxable object changes during a tax period, the amount of tax shall be determined with the application of a coefficient to be determined in accordance with clause 5 of this Article.

5. Where the right of ownership in property arises (ceases) for a taxpayer during a tax period, the amount of tax due in respect of that property shall be calculated with the application of a coefficient to be determined as the ratio of the number of full months during which the property was in the ownership of the taxpayer to the number of calendar months in the tax period.

If the right of ownership in property arose on or before the 15<sup>th</sup> of a particular month or the right of ownership in property ceased after the 15<sup>th</sup> of a particular month, the month in which that right arose (ceased) shall be taken as a full month.

If the right of ownership in property arose after the 15<sup>th</sup> of a particular month or that right ceased on or before the 15<sup>th</sup> of a particular month, the month in which that right arose (ceased) shall not be taken into account in determining the coefficient which is referred to in this clause.

5.1. If, during a tax (reporting) period, the cadastral value of a taxable object changes as a result of changes in its characteristics, the amount of tax for that taxable object shall be calculated applying a coefficient to be determined in a manner similar to that established by clause 5 of this Article.

*[clause 5.1 inserted by Federal Law No. 334-FZ of 03.08.2018; as amended by Federal Law No. 374-FZ of 23.11.2020]*

6. In the event that the right to a tax relief arises (ceases) for a taxpayer during a tax period, the amount of tax shall be calculated with the application of a coefficient determined as the ratio of full months during which no tax relief applies to the number of calendar months in the tax period. In this respect, the month in which the right to a tax relief arises and the month in which that right ceases shall be taken as a full month.

*[Paragraph lost force from 01.01.2021 – Federal Law No. 374-FZ of 23.11.2020]*

7. In the case of property which is inherited by a physical person, tax shall be calculated from the date of the commencement of succession.

8. The amount of tax for the first three tax periods from the commencement of the application of the procedure for the determination of the tax base based on the cadastral value of a taxable object shall be calculated with account taken of the provisions of clause 9 of this Article using the following formula: *[as amended by Federal Law No. 334-FZ of 03.08.2018]*

$$N = (N1 - N2) \times C + N2,$$

where N is the amount of tax payable. In the event that the taxpayer's right of ownership in the taxable object ceased during the tax period, or the right to a tax relief arose (ceased), or the share in the common ownership of the taxable object changed, the amount of tax (N) shall be calculated with account taken of the provisions of clauses 4 to 6 of this Article;

N1 is the amount of tax calculated in accordance with the procedure laid down in clause 1 of this Article on the basis of the tax base determined in accordance with Article 403 of this Code without taking into account the provisions of clauses 4 to 6 of this Article;

N2 is the amount of tax calculated on the basis of the inventory value of the taxable object (without taking into account the provisions of clauses 4 to 6 of this Article) for the last tax period in which the procedure for the determination of the tax base based on inventory value was applied in relation to that taxable object; *[as amended by Federal Law No. 374-FZ of 23.11.2020]*

C is a coefficient equal to:

0.2 – with respect to the first tax period in which the tax base is determined in a particular municipality (city of federal significance Moscow, Saint Petersburg or Sevastopol) in accordance with Article 403 of this Code;



0.4 – with respect to the second tax period in which the tax base is determined in a particular municipality (city of federal significance Moscow, Saint Petersburg or Sevastopol) in accordance with Article 403 of this Code;

0.6 – with respect to the third tax period in which the tax base is determined in a particular municipality (city of federal significance Moscow, Saint Petersburg or Sevastopol) in accordance with Article 403 of this Code;

*[Paragraph lost force – Federal Law No. 334-FZ of 3.08.2018]*

Commencing from the fifth tax period in which the tax base is determined in a particular municipality (city of federal significance Moscow, Saint Petersburg or Sevastopol) in accordance with Article 403 of this Code, the amount of tax shall be calculated in accordance with this Article without taking into account the provisions of this clause. *[as amended by Federal Law No. 334-FZ of 03.08.2018]*

The formula which is provided for in this clause shall not be applied when calculating tax in relation to taxable objects included in the list determined in accordance with clause 7 of Article 378.2 of this Code and taxable objects provided for in paragraph 2 of clause 10 of Article 378.2 of this Code, with the exception of garages and parking spaces situated in those taxable objects. *[paragraph inserted by Federal Law No. 366-FZ of 24.11.2014; as amended by Federal Laws No. 334-FZ of 03.08.2018, No. 325-FZ of 29.09.2019]*

8.1. In the event that the amount of tax calculated in accordance with this Article on the basis of the cadastral value of a taxable object (without taking into account the provisions of clauses 4 to 6 of this Article) exceeds the amount of tax calculated on the basis of cadastral value in relation to that taxable object (without taking into account the provisions of clauses 4 to 6 of this Article) for the preceding tax period with the coefficient 1.1 applied, tax shall be payable in an amount equal to the amount of tax calculated in accordance with this Article on the basis of the cadastral value of that taxable object (without taking into account the provisions of clauses 4 to 6 of this Article) for the preceding tax period with the coefficient 1.1 applied and taking into account the provisions of clauses 4 to 6 of this Article applied to the tax period for which the amount of tax is calculated.

The provisions of this clause shall apply for the purpose of calculating tax commencing from the third tax period in which the tax base is determined in a particular municipality (city of federal significance Moscow, Saint Petersburg or Sevastopol) in accordance with Article 403 of this Code.

The provisions of this clause shall not apply when calculating tax in relation to taxable objects included in the list determined in accordance with clause 7 of Article 378.2 of this Code and taxable objects provided for in paragraph 2 of clause 10 of Article 378.2 of this Code, with the exception of garages and parking spaces situated in those taxable objects. *[as amended by Federal Law No. 325-FZ of 29.09.2019]*

*[clause 8.1 inserted by Federal Law No. 334-FZ of 03.08.2018]*

8.2. For a taxable object formed beginning from the fourth tax period in which the tax base is determined in a particular municipality (city of federal significance Moscow, Saint Petersburg or Sevastopol) in accordance with Article 403 of this Code, tax shall be payable in an amount

equal to the amount of tax calculated in accordance with this Article with a coefficient 0.6 applied with respect to the first tax period for which tax is calculated on that taxable object.

The provisions of this clause shall not apply when calculating tax in relation to taxable objects included in the list determined in accordance with clause 7 of Article 378.2 of this Code and taxable objects provided for in paragraph 2 of clause 10 of Article 378.2 of this Code, with the exception of garages and parking spaces situated in those taxable objects.

*[clause 8.2 inserted by Federal Law No. 374-FZ of 23.11.2020]*

9. In the event that the value of the tax amount N2 calculated in accordance with clause 8 of this Article exceeds the corresponding value of the tax amount N1, the amount of tax payable by the taxpayer shall be calculated without taking into account the provisions of clause 8 of this Article.

### **Article 409. Procedure and Time Limits for the Payment of Tax**

*[inserted by Federal Law No. 284-FZ of 04.10.2014]*

1. Tax shall be payable by taxpayers not later than 1 December of the year following a tax period which has ended. *[as amended by Federal Law No. 320-FZ of 23.11.2015]*

2. Tax shall be paid at the location of a taxable object on the basis of a tax demand sent to the taxpayer by a tax authority.

3. A tax demand may be sent for not more than three tax periods preceding the calendar year in which it is sent.

4. A taxpayer shall pay tax for not more than three tax periods preceding the calendar year in which a tax demand is sent.

5. The refund (crediting) of an amount of tax paid (recovered in excess) in connection with the recalculation of the amount of tax shall be carried out for the period of that recalculation in accordance with the procedure established by Articles 78 and 79 of this Code.

*[clause 5 inserted by Federal Law No. 334-FZ of 03.08.2018]*

## **CHAPTER 33. THE TRADE LEVY**

*[inserted by Federal Law No. 382-FZ of 29.11.2014]*

### **Article 410. General Provisions**

*[inserted by Federal Law No. 382-FZ of 29.11.2014]*

1. The trade levy (hereafter in this Chapter referred to as “the levy”) shall be established by this Code and regulatory legal acts of representative bodies of municipalities, shall be implemented and shall cease to operate in accordance with this Code and regulatory legal acts of representative bodies of municipalities and shall be compulsorily payable in the territories of those municipalities.

In the cities of federal significance Moscow, Saint Petersburg and Sevastopol the levy shall be established by this Code and laws of those constituent entities of the Russian Federation, shall be implemented and shall cease to operate in accordance with this Code and laws of those

constituent entities of the Russian Federation and shall be compulsorily payable in the territories of those constituent entities of the Russian Federation.

2. When establishing the levy, representative (legislative bodies) of municipalities (the cities of federal significance Moscow, Saint Petersburg and Sevastopol) shall set the rate of the levy within the limits established by this Chapter.

3. Regulatory legal acts of representative bodies of municipalities (laws of the cities of federal significance Moscow, Saint Petersburg and Sevastopol) may also establish reliefs and the grounds and procedure for the application thereof.

**Article 411. Payers of the Levy** *[inserted by Federal Law No. 382-FZ of 29.11.2014]*

1. The payers of the levy shall be organizations and private entrepreneurs who/which carry on types of entrepreneurial activities in the territory of a municipality (the cities of federal significance Moscow, Saint Petersburg and Sevastopol) in relation to which that levy has been established by a regulatory legal act of that municipality (laws of the cities of federal significance Moscow, Saint Petersburg and Sevastopol), using items of movable and (or) immovable property in the territory of that municipality (the cities of federal significance Moscow, Saint Petersburg and Sevastopol).

2. Private entrepreneurs who apply the licence-based taxation system and taxpayers which apply the taxation system for agricultural producers (the unified agricultural tax) shall be exempt from paying the levy for types of entrepreneurial activities in relation to which the levy has been established by a regulatory legal act of a municipality (laws of the cities of federal significance Moscow, Saint Petersburg and Sevastopol) with respect to those types of entrepreneurial activities where they are carried on using relevant items of movable or immovable property.

**Article 412. Object of Assessment**

*[inserted by Federal Law No. 382-FZ of 29.11.2014]*

1. The object of assessment to the levy shall be the use of an item of movable or immovable property (hereafter in this Chapter referred to as “trading facility”) by a levy payer on at least one occasion during a quarter to carry on a type of entrepreneurial activity in relation to which the levy has been established.

2. The following concepts shall be used for the purposes of this Chapter:

1) the date on which an object of assessment to the levy arises – the date of commencement of the use of a trading facility to carry on a type of entrepreneurial activity in relation to which the levy has been established;

2) the date of termination of an object of assessment to the levy – the date of cessation of the use of a trading facility to carry on a type of entrepreneurial activity in relation to which the levy has been established.

**Article 413. Types of Entrepreneurial Activities in Relation to Which the Levy is Established**

*[inserted by Federal Law No. 382-FZ of 29.11.2014]*

1. The levy shall be established in relation to trading activities carried on at trading facilities.
2. For the purposes of this Chapter, trading activities shall include the following types of trade:
  - 1) trade through fixed-location trading network outlets without sales floors (with the exception of fixed-location trading network outlets without sales floors which are filling stations);
  - 2) trade through non-fixed-location trading network outlets;
  - 3) trade through fixed-location trading network outlets which have sales floors;
  - 4) trade conducted by means of supplying goods from a warehouse.
3. For the purposes of this Chapter, activities involving the organization of retail markets shall be equated with trading activities.
4. The following concepts shall be used for the purposes of this Chapter:
  - 1) trading facility:
    - in the case of the types of trade referred to in clause 2 of this Article – a building, an installation, a premises, a fixed-location or non-fixed location trading facility or a trade outlet using which the payer carries on a type of activity in relation to which the levy has been established;
    - in the case of activities involving the organization of retail markets – an item of immovable property using which a market management company carries on those activities;
  - 2) trade – a type of entrepreneurial activity involving the retail, small wholesale and wholesale purchase and sale of goods which is carried on through fixed-location and non-fixed location trading network outlets and through trade warehouses;
  - 3) activities involving the organization of retail markets – activities of market management companies which are defined in accordance with the provisions of Federal Law No. 271-FZ of 30 December 2006 “Concerning Retail Markets and Concerning the Introduction of Amendments to the Labour Code of the Russian Federation”.

**Article 414. Assessment Period**

*[inserted by Federal Law No. 382-FZ of 29.11.2014]*

The period of assessment to the levy shall be a quarter.

**Article 415. Rates of the Levy**

*[inserted by Federal Law No. 382-FZ of 29.11.2014]*

1. Rates of the levy shall be established by regulatory legal acts of municipalities (laws of the cities of federal significance Moscow, Saint Petersburg and Sevastopol) in roubles per quarter calculated per trading facility or by reference to the area thereof.

In this respect, taking into account the special considerations laid down in this Article, the rate of the levy may not exceed the computed amount of tax which is payable in the relevant municipality (city of federal significance Moscow, Saint Petersburg or Sevastopol) in connection with the application of the licence-based taxation system on the basis of a licence for the relevant type of activity issued for three months.

2. For the purposes of determining the maximum rates of the levy in accordance with clause 1 of this Article, the limitations established by subsection 1 of clause 3 of Article 346.43 of this Code for the application of the licence-based taxation system in relation to activities in the form of retail trade shall not be taken into account.

3. The rate of the levy established for trade through fixed-location trading network outlets with a sales floor area exceeding 50 square metres for each fixed-location network trading outlet shall be established per 1 square metre of sales floor area, and for trade carried on by means of supplying goods from a warehouse shall be established per 1 square metre of warehouse area, and may not exceed the computed amount of tax payable in connection with the application of the licence-based taxation system in a particular municipality (city of federal significance Moscow, Saint Petersburg or Sevastopol) on the basis of a licence for retail trade carried on through fixed-location trading network outlets with a sales floor area not exceeding 50 square metres for each fixed-location trading network outlet, issued for three months, divided by 50.

4. The rate of the levy established for activities involving the organization of retail markets may not exceed 550 roubles per 1 square metre of area of a retail market. That rate shall be subject to annual indexation by the deflator coefficient established for the relevant calendar year.

5. For the purposes of this Chapter the area of a sales floor shall be determined in accordance with subsection 5 of clause 3 of Article 346.43 of this Code.

6. Regulatory legal acts of municipalities (laws of the cities of federal significance Moscow, Saint Petersburg and Sevastopol) may establish differentiated rates of the levy according to the area in which a particular type of trading activity is carried on, the category of levy payer, factors involved in carrying on particular types of trade and characteristics of trading facilities. In this respect, the rate of the levy may be reduced as far as zero.

**Article 416. Registration of Levy Payers**

*[inserted by Federal Law No. 382-FZ of 29.11.2014]*

1. The registration and deregistration of an organization or a private entrepreneur with a tax authority as a levy payer shall be carried out on the basis of an appropriate notification of the levy payer which is submitted by the levy payer to the tax authority or on the basis of information submitted to the tax authority by the authorized body which is referred to in Article 418 of this Code.

There shall be entered in the notification information on the object of assessment to the levy: the type of entrepreneurial activity; the trading facility using which that entrepreneurial activity is to be carried out (discontinued); characteristics (quantity and (or) area) of the trading facility which are needed to determine the amount of the levy.

2. A levy payer shall submit an appropriate notification not later than five days from the date on which an object of assessment to the levy arises.

Carrying on a type of entrepreneurial activity in relation to which the levy has been established without sending the above-mentioned notification shall be equated with the conduct of activities by an organization or a private entrepreneur without registering with a tax authority.

A levy payer shall be obliged to notify the tax authority of the cessation of the use of a trading facility and of each change in the indicators for a trading facility that results in a change in the amount of the levy not later than five days from the day on which the relevant change or cessation of trade occurs. *[as amended by Federal Law No. 325-FZ of 29.09.2019]*

3. Registration shall take place on the basis of a notification submitted by a levy payer within five days after the tax authority receives that notification, and a relevant notification shall be issued (sent) to the levy payer within the same time period.

*[clause 3 as reworded by Federal Law No. 325-FZ of 29.09.2019]*

4. In the event that an entrepreneurial activity for which the levy has been established is discontinued, a levy payer shall submit a relevant notification to the tax authority. *[as amended by Federal Law No. 325-FZ of 29.09.2019]*

The date of the deregistration of an organization or a private entrepreneur as a levy payer shall be the date specified in the notification on which the levy payer ceases to carry on a type of activity.

The levy payer shall submit the above-mentioned notification not later than five days from the date on which the entrepreneurial activity for which the levy has been established is discontinued. *[paragraph inserted by Federal Law No. 325-FZ of 29.09.2019]*

5. The standard forms of notifications and the order and composition of details to be given in notifications shall be determined by the federal executive body in charge of control and supervision in the area of taxes and levies.

6. A notification of registration as a levy payer with respect to a facility for carrying out a type of entrepreneurial activity in relation to which the levy has been established shall be an appropriate written statement or a statement drawn up in electronic form and transmitted via telecommunications channels with the use of an enhanced qualified electronic signature.

7. The registration and deregistration of an organization or a private entrepreneur with a tax authority as a levy payer shall be carried out:

- at the location of an item of immovable property – where entrepreneurial activities in relation to which the levy has been established are carried on using an item of immovable property;

- at the location of the organization (the place of residence of the private entrepreneur) – in other cases.

Where a number of facilities for carrying out types of entrepreneurial activities in relation to which the levy has been established are located in one municipality (city of federal significance Moscow, Saint Petersburg or Sevastopol) in territories under the jurisdiction of different tax authorities, the registration of the levy payer shall be carried out by the tax authority for the location of the facility for which information was received from the levy payer earlier than for other facilities.

8. In the event that a levy payer violates the time limit for the submission of a notification of the cessation of the use of a trading facility (a notification of the discontinuation of an activity for which the levy has been established), the date of the cessation of the use of the trading facility (the date of the deregistration of an organization or a private entrepreneur as a levy payer) shall be the date on which a relevant notification is submitted to the tax authority.

*[clause 8 inserted by Federal Law No. 325-FZ of 29.09.2019]*

#### **Article 417. Procedure for the Calculation and Payment of the Levy**

*[inserted by Federal Law No. 382-FZ of 29.11.2014]*

1. Except as otherwise established by this Article, the amount of the levy shall be determined by the payer independently for each object of assessment to the levy, commencing from the assessment period in which the object of assessment to the levy arose, as the product of the rate of the levy for the type of entrepreneurial activity in question and the actual value of a physical characteristic of the relevant trading facility.

2. Payment of the levy shall take place not later than the 25<sup>th</sup> of the month following the assessment period.

3. In the event that information is received from the authorized body concerning objects of assessment to the levy which have been discovered and in relation to which a notification has not been submitted to the tax authority or in relation to which inaccurate information has been given in a notification, the tax authority shall send the levy payer a demand for payment of the levy not later than 30 days from the day on which that information is received.

The amount of the levy which is indicated in the demand shall be calculated on the basis of the information presented to the tax authorities by the authorized body.

#### **Article 417.1. Special Considerations Relating to the Calculation and Payment of the Levy Where Activities Are Carried on in Accordance with a Simple Partnership Agreement (a Joint Activity Agreement), a Commission Agency Agreement, a Contract of Agency, a Contract of Delegation or a Fiduciary Agreement**

*[inserted by Federal Law No. 325-FZ of 29.09.2019]*

1. Where an entrepreneurial activity for which the levy has been established is carried out within the framework of a simple partnership agreement (a joint activity agreement), the payers of the levy shall be the members of the partnership which use an item of movable and (or) immovable property in carrying on that activity.

Where participants in a simple partnership agreement (a joint activity agreement) jointly use one trading facility, the amount of the levy for that facility shall be determined by each participant as the product of the levy rate for the entrepreneurial activity that is carried on and the actual value of the physical indicator of the trading facility, determined in proportion to the value of the partners' contributions (the proportions of property contributed by the partners) to the common business or established for (allocated to) each partner by the joint activity agreement or by a supplemental agreement of the partners.

2. Where an entrepreneurial activity for which the levy has been established is carried out within the framework of a commission agency agreement, the obligations of a levy payer which are established by this Chapter shall be borne by the commission agent.

3. Where an entrepreneurial activity for which the levy has been established is carried on by an agent in the name of and at the expense of the principal within the framework of a contract of agency, the obligations of a levy payer which are established by this Chapter shall be borne by the principal.

Where an entrepreneurial activity for which the levy has been established is carried on by an agent in its own name but at the expense of the principal within the framework of a contract of agency, the obligations of a levy payer which are established by this Chapter shall be borne by the agent.

4. Where an entrepreneurial activity for which the levy has been established is carried on within the framework of a contract of delegation, the obligations of a levy payer which are established by this Chapter shall be borne by the principal.

5. Where an entrepreneurial activity for which the levy has been established is carried out within the framework of a fiduciary management agreement, the obligations of a levy payer which are established by this Chapter shall be borne by the fiduciary manager.

**Article 418. Powers of Local Government Bodies (State Government Bodies of the Cities of Federal Significance Moscow, Saint Petersburg and Sevastopol)**

*[inserted by Federal Law No. 382-FZ of 29.11.2014]*

1. Local government bodies (state government bodies of the cities of federal significance Moscow, Saint Petersburg and Sevastopol) shall exercise powers associated with the collection, processing and transmission to tax authorities of information on objects of assessment to the levy within the limits established by this Article.

2. A regulatory legal act of a representative body of a municipality (laws of the cities of federal significance Moscow, Saint Petersburg and Sevastopol) shall designate the body which is to exercise the powers referred to in clause 1 of this Article (hereafter in this Article referred to as "the authorized body").

3. The authorized body shall, in accordance with legislation, monitor the completeness and accuracy of information on objects of assessment to the levy in the territory of its municipality (city of federal significance Moscow, Saint Petersburg or Sevastopol).





## **Insurance Contributions**

4. In the event of the discovery of objects of assessment to the levy in relation to which a notification has not been submitted to the tax authority or in relation to which inaccurate information has been given in a notification, the authorized body shall, within five days, prepare a statement of the discovery of a new object of assessment to the levy or a statement of the discovery of inaccurate information in relation to an object of assessment to the levy, and shall send that information to a tax authority using the form (format) and in accordance with the procedure which are determined by the federal executive body in charge of control and supervision in the area of taxes and levies.

The authorized body shall inform the levy payer of the sending of information to the tax authority within five days from the date on which information such as is referred to in paragraph 1 of this clause is sent, accompanied by the corresponding statement.

Statements such as are referred to in this clause may be contested by a levy payer in accordance with the procedure established by the legislation of the Russian Federation. In the event that the statement concerned is rescinded, notice of that fact shall be sent by the authorized body to the tax authority in the manner prescribed by paragraph 1 of this clause.